

REMARKS

Claim 49 has been amended to limit its dependency to claims 1, 6, 18 and 25 (Group I). Claims 1-49 are currently pending in this application. Applicants reserve the right to pursue the original and other claims in this and other applications.

In response to the restriction requirement in the Office Action mailed April 21, 2006, Applicants provisionally elect Group 1, claims 1-14 and 18-25, with traverse.

The examiner requires restriction to one of the following inventions:

Group I, claims 1-14 and 18-25 drawn to a process of growth;

Group II, claims 15, 26, 36 and 49, drawn to a product;

Group III, claims 16[[17]], 17, 27, 28, 37, 47 and 48, drawn to an apparatus; and

Group IV, claims 29[[28]], 35 and 38-46, drawn to a two-step process.

As a formal matter, Applicants note that the grouping of claims should be corrected for typographical errors, as shown above.

Applicants respectfully submit that the grouping of claims is not appropriate. Specifically, Applicants submit that the claims of Group II properly belong to the other groups of claims.

The Examiner indicates that inventions of groups I and II and groups I and IV are distinct because the product can be made by a materially different process such as CVD. Applicants submit that the product claims in Group II are product by process claims and should be grouped with their respective process claims. Accordingly, Applicants believe that there should be no Group II and that the claims of Group II properly belong in Groups I and IV.

Claim 15 is directed to a group III nitride crystal grown by the recited process which is the same as the method of growing the group III nitride crystal recited in claim 1. Therefore, Applicants respectfully submit that claim 15 belongs to group I along with claim 1.

Claim 26 is directed to a group III nitride crystal grown by the recited process which is the same as the method of grouping the group III nitride crystal recited in claim 18. Therefore, Applicants respectfully submit that claim 26 belongs to group I along with claim 18.

Claim 36 is directed to a group III nitride crystal grown by the recited process which is the same as the method of growing the group III nitride crystal recited in claim 29. Therefore, Applicants respectfully submit that claim 36 belongs to group IV along with claim 29.

Claim 49 is directed to a semiconductor device comprising a substrate made of the method of growing the group III nitride crystal which is the same as the method of growing the group III nitride crystal recited in any of claims 1, 6, 18, 25, 29 and 38. Therefore, Applicants respectfully submit that claim 49 belongs to group I along with claims 1, 6, 18 and 25 or to Group IV along with claims 29 and 38.

Therefore, Applicants believe that the claims should be grouped as follows:

Revised Group I, claims 1-14 and 18-25 drawn to a process of growth, claim 15 drawn to a product made by the process of claim 1, claim 26 drawn to a product made by the process of claim 18, and claim 49 drawn to a product made by the method of any of claims 1, 6, 18 and 25;

Revised Group II, None;

Revised Group III, claims 16, 17, 27, 28, 37, 47 and 48, drawn to an apparatus; and

Revised Group IV, claims 29, 35 and 38-46, drawn to a two-step process, claim 36 drawn to a product made by the method of claim 29, and claim 50 drawn to a product made by the method of any of claims 29 and 38.

Provided that Applicants' proposed grouping of claims is acceptable to the Examiner, Applicant elects Revised Group I, including claims 1-14 and 18-25 drawn to a process of growth, claim 15 drawn to a product made by the process of claim 1, claim 26 drawn to a product made by the process of claim 18, and claim 49 drawn to a product made by the method of any of claims 1, 6, 18 and 25 for further prosecution.

Dated: June 12, 2006

Respectfully submitted,

By 
Mark J. Thronson

Registration No.: 33,082

Jennifer M. McCue

Registration No.: 55,440

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant